

## UNITED STATES DISTRICT COURT

DISTRICT OF \_\_\_\_\_

UNITED STATES OF AMERICA  
v.ORDER OF PROBATION  
UNDER 18 U.S.C. § 3607

JAMES W. OLMSTEAD

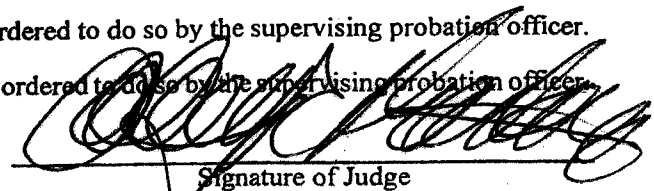
CASE NUMBER: 15-9324

The defendant having been found guilty of an offense described in 21 U.S.C. 844, and it appearing that the defendant (1) has not, prior to the commission of such offense, been convicted of violating a federal or state law relating to controlled substances, and (2) has not previously been the subject of a disposition under this subsection,

**IT IS ORDERED** that the defendant is placed on probation as provided in 18 U.S.C. § 3607 for a period of 1 Year without a judgment of conviction first being entered. The defendant shall comply with the conditions of probation set forth on the next page of this Order, and the following special conditions:

The defendant:

- 1) Shall participate in a drug education and/or treatment program if ordered to do so by the supervising probation officer.
- 2) Shall undergo drug testing, including but not limited to urinalysis, if ordered to do so by the supervising probation officer.

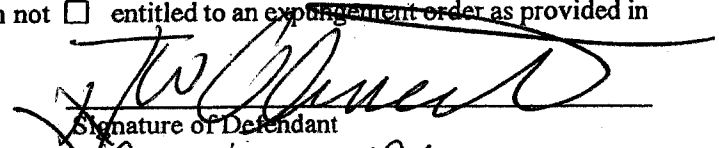
  
\_\_\_\_\_  
Signature of Judge  
**Honorable Anthony R. Mautone**  
**United States Magistrate Judge**  
\_\_\_\_\_  
Name and Title of Judge

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CONSENT OF THE DEFENDANT

I have read the proposed Order of Probation Under 18 U.S.C. § 3607 and the Conditions of Probation. I understand that if I violate any conditions of probation, the court may enter a judgment of conviction and proceed as provided by law. I consent to the entry of the Order.

I also understand that, if I have not violated any condition of my probation, the Court, without entering a judgment of conviction, (1) may dismiss the proceedings and discharge me from probation before the expiration of the term of probation, or (2) shall dismiss the proceedings and discharge me from probation at the expiration of the term of probation.

My date of birth is       62, and I am ☐ am not ☐ entitled to an expungement order as provided in 18 U.S.C. § 3607(c), if the proceedings are dismissed.

  
\_\_\_\_\_  
Signature of Defendant

New York, NY  
\_\_\_\_\_  
Address of Defendant

  
\_\_\_\_\_  
Signature of Defense Counsel

Leticia Oliveira  
\_\_\_\_\_  
Printed Name of Defense Counsel

5/11/16\_\_\_\_\_  
Date

## CONDITIONS OF PROBATION

While the defendant is on probation, the defendant:

- 1) shall not commit another federal, state or local crime.
- 2) shall not leave the judicial district without the permission of the court or probation officer;
- 3) shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 4) shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 5) shall support his or her dependents and meet other family responsibilities;
- 6) shall work regularly at a lawful occupation, unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 7) shall notify the probation officer at least ten days prior to any change in residence or employment;
- 8) shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician;
- 9) shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 10) shall not associate with any persons engaged in criminal activity and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer;
- 11) shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the probation officer;
- 12) shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 13) shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;
- 14) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement; and
- 15) shall not possess a firearm or destructive device.

In addition, the defendant shall comply with the following special conditions:

#### **ALCOHOL/DRUG TESTING AND TREATMENT**

You shall refrain from the illegal possession and use of drugs, including prescription medication not prescribed in your name, and the excessive use of alcohol, and shall submit to urinalysis or other forms of testing to ensure compliance. It is further ordered that you shall submit to evaluation and treatment, on an outpatient or inpatient basis, as approved by the U.S. Probation Office. You shall abide by the rules of any program and shall remain in treatment until satisfactorily discharged by the Court. You shall alert all medical professionals of any prior substance abuse history, including any prior history of prescription drug abuse. The Probation Officer shall supervise your compliance with this condition.

#### **RESTRICTIONS FROM ENTERING GATEWAY NATIONAL PARK**

You are to refrain from entering Gateway National Park while on supervision.

#### **MENTAL HEALTH TREATMENT**

You shall undergo treatment in a mental health program approved by the United States Probation Office until discharged by the Court. As necessary, said treatment may also encompass treatment for gambling, domestic violence and/or anger management, as approved by the United States Probation Office, until discharged by the Court. The Probation Officer shall supervise your compliance with this condition.